

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

MATTHEW OKONKWO,)
)
)
v.) CV. NO. 1:07cv1062-MHT
)
) CR. NO. 1:06cr101-MHT
)
UNITED STATES OF AMERICA.)

**MOTION FOR EXTENSION OF TIME IN WHICH TO RESPOND TO PETITIONER'S
MOTION TO VACATE, CORRECT, OR SET ASIDE SENTENCE**

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, requesting an extension of time in which to respond to Petitioner's Motion to Vacate, Correct, or Set Aside Sentence pursuant to 28 U.S.C. § 2255, and in support of its request, states as follows:

1. Petitioner's claims hinge upon this Court's determination of counsel's effectiveness.
2. By order dated December 11, 2007, this Court required Mr. Bruner and Mr. Duraski to file affidavits no later than December 31, 2007, with the Government's response to the Petition due January 10, 2008.
3. Both counsel timely complied. However, although Mr. Bruner filed his affidavit on December 31, 2007, the Government did not receive it until January 2, 2008, when the notice of electronic filing was transmitted.
4. The undersigned AUSA is scheduled to be in Columbia, South Carolina for Department of Justice training from January 8, 2008 through January 11, 2008.
5. For these reasons, the Government requests an extension of time to file its response to the petition until Friday, January 18, 2008.

Respectfully submitted on this the 4th day of January, 2008.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Andrew O. Schiff
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CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participant: Matthew Okonkwo, McRae Correctional Facility, P.O. Box 30, McRae Georgia 31055.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

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